

CITY OF MILFORD
REGULAR MEETING
DECEMBER 4, 2007
MINUTES

A regular meeting of the Mayor and Council of the City of Milford, Nebraska was held at the Webermeier Library Community Room in said City on the 4th day of December 2007 at 7:30 pm. Present were: Mayor J. Elaine Plessel; Council members: Jeff Baker, Dean Bruha, Rick Fortune, Lyle Neal; Attorney Robert Blevens; Chief of Police Forrest Siebken, Maintenance Supt. Mark Frey; City Clerk Jeanne Hoggins. Also present: Pat Rixstine, Jean Ferrill, Duane Roth, Wayne Stohlman and Matt Young.

Notice of the meeting was given in advance thereof by publishing in the Milford Times; a designated method for giving notice, as shown by the Affidavit of Publication attached to these minutes. Notice of this meeting was given to the Mayor and all members of the Council and a copy of their acknowledgement of receipt of notice and the agenda is attached to these minutes. Availability of the agenda was communicated in the advance notice and in the notice to the Mayor and Council of this meeting. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public.

CALL TO ORDER: Mayor Plessel called the meeting to order at 7:30 p.m. Mayor Plessel publicly stated to all in attendance that a current copy of the Nebraska Open Meetings Act is available for review and is posted on the east wall of the Webermeier Community Room.

MINUTES: A motion was made by Neal and seconded by Fortune to approve the minutes of the November 6, 2007 meeting. Roll call vote: Neal yes, Fortune yes, Baker yes, Bruha yes. Motion carried.

PAYMENT OF BILLS, BOND PRINCIPAL AND INTEREST: A motion was made by Bruha and seconded by Neal that the following bills in the amount of \$131,641.47 approved by the Auditing Committee be approved for payment. Bond Principal of \$60,000.00, Bond Interest of \$20,510.00 and Accounts Payable of \$51,131.47. Roll call vote: Bruha yes, Neal yes, Baker yes, Fortune yes. Motion carried.

SALARIES:

45176	Mark Frey	1345.93
45177	Forrest K Siebken	1279.88
45178	Mavis Lynn Ferris	35.46
45179	Jeanne M Hoggins	1315.17
45180	Gary Lee TeSelle	824.21
45181	Scott Dean Fosler	961.84

45182	Robert L Hull	834.54
45183	Beverly J Wehrs	545.36
45184	Edna A Riedl	365.07
45185	David R Dahle	932.57
45186	Louis J Bialas	946.40
45187	Bryce C Johnson	925.78
45188	Philip Winkelmann	878.89
45189	Lindsey S Troyer	310.94
45190	George Matzen	185.33
45191	Joshua S Wiley	77.57
45192	Tracy L Yeackley	644.27
45193	Hanna L Troyer	138.52
45245	Mark Frey	1345.93
45246	Forrest K Siebken	1279.88
45247	Mavis Lynn Ferris	38.42
45248	Jeanne M Hoggins	1315.17
45249	Gary Lee TeSelle	872.91
45250	Scott Dean Fosler	1186.09
45251	Robert L Hull	962.59
45252	Beverly J Wehrs	404.57
45253	Edna A Riedl	298.02
45254	David R Dahle	932.57
45255	Louis J Bialas	924.89
45256	Bryce C Johnson	1080.84
45257	Philip Winkelmann	1013.63
45258	Lindsey S Troyer	246.31
45259	George A Matzen	185.33
45260	Joshua S Wiley	77.57
45261	Tracy L Yeackley	595.47
45262	Hanna L Troyer	91.42
45268	Joyce Elaine Plessel	184.70
45269	Ricky Gene Fortune	138.52
45270	Dean Alan Bruha	138.52
45271	Emerson L Neal	138.52
45272	Jeffrey M Baker	138.52
GENERAL FUND:		
45194	Ameritas Group – Pension	1594.59
45195	Alltel – Cell Phone Charges	211.98
45196	Windstream – Long Distance Charges for Oct	4.69
45197	Aramark – Pants & Rags	249.00
45198	Culligan – Soft Water	20.00

45199	Farmers Cooperative – Gas/Diesel for October	1378.16
45200	D & D Communications – Labor	180.00
45201	Diode Communications – Monthly Charge	54.16
45202	Deep Rock – Drinking Water	29.88
45203	Eakes Office Plus – Copies, Batteries, Cassettes	205.78
45204	EDM Equipment – Selectostre	447.95
45205	EMP – Miniflasher, Glassmaster	523.35
45206	Farm Plan – Bar Oil, 2 Cycl Oil	25.36
45207	Gall’s Inc – Flashlight Repair, Gloves, Shirts	118.89
45208	Garbage Co – Garbage Pickup	138.82
45209	Great Plains One-Call – Locate Requests	26.73
45210	Hawkins – Azone CHLY, LPC-4	1531.49
45211	Jeanne Hoggins – Mileage to Geneva for Training	42.68
45212	JR Welding – Aluminum Boxes	200.00
45213	Menards – Batteries, wood seal	43.45
45214	Milford Plumbing – Cables Sewer Lines	60.00
45215	Milford Supermarket – Batteries	8.48
45216	Midwest Vehicle Professionals – Maintenance, Supplies	286.50
45217	Miller-Monroe Co – Addt’l Workmans Comp Charges	583.00
45218	Mutual of Omaha – Disability	79.33
45219	NMC – Element, Air Filter	61.23
45220	NE Dept of Revenue – Oct Sales Tax	1989.03
45221	NE Motor Parts – Cable Ties, Truck Supplies, oil filter	62.00
45222	NPPD – Services for October	4777.55
45223	NE Tech & Telecomm – Service for October	395.07
45224	Newman Signs – Traffic Signs	516.80
45225	Aquila – Service for October	200.20
45226	Pizza Kitchen – Meals on 10/29	202.50
45227	Roxanne Roth – Cleaning Services	250.00
45228	Mrs. Wayne Roth – Birthday Cake	34.00
45229	Sam’s Club – Paper towels, bath tissue	136.99
45230	Servi-Tech – Test for Discharge of Lagoon	73.70
45231	Seward Co Ind – Notices and Minutes	147.00
45232	SPPD – Wells 1 & 2	514.22
45233	Shell Fleet Plus – Fuel for October	21.06
45234	Stutzman Digging – Repair Sewer Line on Elm St	11648.26
45235	Subway Motors – Clip, Repair Starter	168.30
45236	Technical Maintenance – Labor, Mileage	277.00
45237	Sunrise Country Manor – October Meals	822.25
45238	Wergin’s Lawn Service – Winterizer Fertilizer	46.00
45239	Beverly Wehrs – Ice cream, Paper Plates	74.90

45240	Windstream – Local, Internet, Paging	168.92
45241	Robert Boshart – Food/Motel, Conf Registration	352.45
45242	Conner Roofing – Repair Wall	300.00
45243	M2M Video – Transfers VHS to DVD	135.00
45244	Pat Rixstine – Fundraiser Refund	180.00
45263	Ameritas Group – Pension	1594.59
45264	AFLAC – Dis, Canc, Acc, Suppl	406.26
45265	Ameritas Group – Dental & Vision	1066.76
45266	Coventry Health – Health Insurance	8004.39
45267	Shell Fleet Plus – Fuel for October	585.90
45273	American Red Cross – Admin Fees for Swim Lesson	790.00
45274	Blevens Law Office – Legal Services for Nov	350.00
45275	City of Milford – Petty Cash	35.22
45276	Creative Consultants – Recover Follet Rebuild	350.00
45277	Data Technologies – CD Update	14.00
45278	Follet Software – Support/Catalog	480.00
45279	Fort Dearborn – Life Insurance	113.52
45280	Fremont National Bank – 2007 Annual Fee	450.00
45281	Gaylord Bros – Application Cards	34.13
45282	Gerhold Concrete – Concrete	74.00
45283	Hawkins Inc – Seal Ring, Clamp	26.89
45284	Ingram Library – 54 Books	691.76
45285	Interstate Batteries – Batteries	61.80
45286	Milford A/C – Service Furnace @ City Office	70.88
45287	Milford School Dist – Parking Fines, Tobacco Lic	55.00
45288	Nat’l Geo Society – 1 yr Subscription	34.00
45289	NMC – Window Latch	92.20
45290	Ne Publich Health – Lead & Copper & Colifom Test	270.00
45291	Newman Signs – Bracke Cross Top Flat	62.42
45292	Perma-Bound – 23 Books	347.21
45293	Roxanne Roth – Cleaning Services	305.00
45294	Servi-Tech Inc. – Wastewater Analysis Package	87.35
45295	Tan-Aire Inc – Vacuum Truck Services	1215.00
45296	Union Bank – Gary TeSelle Acct#5562939	300.00
45297	Walmart Community – Chain Lead, DVDs, Antifreeze	250.48
45298	Watts Up – Light Bulbs	188.00
45299	Windstream – Paging wide-area, local, civil defense	113.54
45300	Force Flow – Repair Scales for Treatment	662.72
45301	Ogden Publications – 1 yr subscription	14.95
45302	The Book Farm – 4 Books	334.80

REPORTS OF OFFICERS, BOARDS AND COMMITTEES: Written reports received were Police Dept. Activity Report for November 2007; Rescue NARSIS report for November 2007. Neal – Recreation Director position has been advertised and the application deadline is Friday, December 7, 2007. Fortune – the water reservoir has passed inspection. Chief Siebken – reviewed the November Police activity report. Agency Board met last Thursday and will be meeting again on January 24. Attorneys for all involved are asked to be present. Frey – policy set in place regarding snow removal established after 3” of snowfall the maintenance dept. will go out to blade, or at the conclusion of snowfall. Frey relies on the Police Dept. to inform them of ice conditions. 48 hour parking is enforced for removal of vehicles after a snowfall. Stohlman – Seward County Emergency Management meeting will be held on Thursday, December 6, 2007 at the Civic Center in Seward. Anyone needing NIMS class for 300 & 400 can attend Hastings session on March 17-21.

COMMUNICATIONS: *Sales tax received for the month of September 2007 was \$11,697.05 *NPPD 3rd quarter lease payment received in the amount of \$52,445.36.

UNFINISHED BUSINESS:

Identify property for annexation: Fortune noted that the issue of identifying the property was held off to research the Golf Course. He proposed the question to Bruha and Baker “Why do you think the Golf Course should be annexed”. Bruha responded the course uses the city parking lot, local police dept. for protection and water and sewer services. Baker commented that last month’s discussion was focused around properties that are already receiving city services. The City is currently providing services to the Golf Course. Fortune questioned how annexing the Golf Course would benefit the City. It will not show up on the census. The Golf Course borders property, if developed, we could never provide services to. Neal stated that last month we discussed just annexing the Club House. He would like to leave the Club House as an option for discussion during the Public Hearing held at the Planning & Zoning meeting. The four areas identified for annexation by the City Council are as follows: 1) Club House property at Thornridge Golf Course 2) Gerry Dunlap property at 802 Park Ave. 3) Properties on the south side of Hwy 6 between 252nd and the corporate limits. 4) Properties west of the School Addition to Welch Park Rd’s west right of way, between 1st Street and Hwy 6.

Final Adoption roll call for Ordinance #798: A motion was made by Bruha and seconded by Baker to approve the final roll call to adopt Ordinance #798. Roll call: Bruha yes, Baker yes, Fortune yes, Neal yes. Motion carried.

Discussion of Walnut St. RR Crossing: Bruha informed the Council that a citizens meeting was held on November 19, 2007 to discuss options for the Walnut Street RR Crossing. Present were: Fire Chief John Melena, Chamber representative Duane Roth, Planning & Zoning Vice Chair Jean Ferrill, Coop representative Ron Velder and Citizen Matt Young. Matt Young made a presentation to the Mayor and Council showing 3 different options to minimize the horn sound at the Walnut RR Crossing. 1) **Automatic Wayside Horn:** This option was dismissed last time due to the cost. Now that the RR plans to double track they are replacing the circuitry at this crossing. No paperwork is needed to designate a quiet zone. This system is completely automated and will signal 24/7. The directional horn is designed for sound between 1 to 2 blocks away. There is an inspection and maintenance fee of approx. \$800.00 per year. 2) **Channelization:** includes curbs and medians. This option is the simplest and the cheapest. Due to the truck traffic involved at the grain elevator this option may not be possible. It is difficult for the semi-trucks to make the turn heading east. 3) **Temporary Daily Closure:** This option allows the crossing to be closed from 10:00 pm to 7:00 am. The horns would still blow during the day. The problem with this situation is the intersection would be blocked at night. Bruha is asking for approval to send the RR a letter asking while they are in the process of designing the double track thru town that they consider the automatic wayside horn or channelization at the Walnut Street RR crossing. A letter also needs to be sent to the County requesting that a locked gate be placed at the Easter Seals crossing north of town. Bruha would like the letters to be signed by the Mayor and all council members. The time line for double tracking: lay the track bed starting March 2008 and lay track in 2009.

NEW BUSINESS:

Election of Officers: A motion was made by Fortune and seconded by Baker to elect Dean Bruha as President of Council. Roll call vote: Fortune yes, Baker yes, Bruha abstain, Neal yes. Motion carried.

A motion was made by Fortune and seconded by Bruha to elect Jeff Baker as Acting President of Council. Roll call vote: Fortune yes, Bruha yes, Baker abstain, Neal yes. Motion carried.

Council Assignments: Mayor Plessel made a recommendation that the Council assignments remain as they're currently assigned. **Neal:** Parks, Pool, Recreation, Auditing Committee, Webermeier Scholarships. **Fortune:** Water, Sewer, Fire Dept. **Bruha:** Streets, Police, Auditing Committee, ADA & OSHA Compliance. **Baker:** Library, Sr. Center, Cemetery. A motion was made by Baker and seconded by Bruha to approve council assignments as noted. Roll call vote: Baker yes, Bruha yes, Fortune yes, Neal yes. Motion carried.

Appointments: Chief of Police – A motion was made by Neal and seconded by Bruha to approve the Mayor’s recommendation to re-appoint Forrest Siebken as the Chief of Police. Roll call vote: Neal yes, Bruha yes, Baker yes, Fortune yes. Motion carried.

City Clerk/Treasurer – A motion was made by Fortune and seconded by Baker to approve the Mayor’s recommendation to re-appoint Jeanne Hoggins as City Clerk/Treasurer. Roll call vote: Fortune yes, Baker yes, Bruha yes, Neal yes. Motion carried.

Continuation Order 2nd Semester – Webermeier Scholarships: A motion was made by Neal and seconded by Fortune to approve 26 scholarships at \$538.50 each for the 2nd semester of the 2007-2008 school year totaling \$14,001.00. Roll call vote: Neal yes, Fortune yes, Baker yes, Bruha yes. Motion carried.

Schedule January Council meeting: Mayor Plessel set Thursday, January 3, 2008 as the date for the next regular City Council meeting.

ADJOURNMENT: A motion was made by Fortune and seconded by Neal to adjourn the meeting. Roll call vote: Fortune yes, Neal yes, Baker yes, Bruha yes. Motion carried and meeting adjourned at 8:25 pm.

Jeanne Hoggins, City Clerk

J. Elaine Plessel, Mayor

CERTIFICATION

I, the undersigned, City Clerk of the City of Milford, Nebraska, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the Mayor and Council on December 4, 2007 that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the office of the City Clerk; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the said minutes from which the foregoing proceedings have been extracted were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

(SEAL)

Jeanne Hoggins, City Clerk